

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4440-06
Bill No.: SB 1383
Subject: Motor Carriers; Motor Vehicles; Law Enforcement Officers and Agencies; Roads and Highways; Transportation
Type: Original
Date: March 29, 2004

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 4 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials with the **Department of Public Safety – Missouri State Highway Patrol, Department of Revenue, City of Kansas City, Greene County, and Webster County** assume this proposal would have no fiscal impact on their agencies.

Officials with the **City of Maryland Heights** assume this proposal could have significant negative impact on their municipality based upon the city's inability to prohibit overweight vehicles from traveling on and potentially damaging municipal streets. **Oversight** assumes that state enforcement of commercial motor vehicle laws will be sufficient to eliminate most travel by overweight vehicles.

Officials with the **Department of Transportation (MoDOT)** assume this proposal allows a motor carrier to appeal the decision of voluntary audit, requiring the hiring of one attorney to handle the increased volume and lengthier appeals. **Oversight** assumes that current staff can handle the caseload of appeals generated by this. If, in the future, the volume of cases exceeds the capacity of present staff, MoDOT could request funding to add staff through the appropriation process.

ASSUMPTION (continued)

MoDOT officials state that currently, compliance audits are performed through the U.S. Department of Transportation, Motor Carrier Safety Administration grants. MoDOT assumes this legislation prescribes an audit process that differs from the procedures spelled out in the current grants MoDOT receives, jeopardizing such federal grant monies. **Oversight** assumes that the Missouri Highways and Transportation Commission (MHTC) could either promulgate the necessary rules and regulations to bring the procedures outlined in the act into compliance with the federal grants or the grant agreements could amended in accordance with this act.

<u>FISCAL IMPACT - State Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

This legislation allows motor carriers to elect to have voluntary audits conducted by MHTC without incurring liability if the commission discovers deficiencies. Such audits are to be performed by existing staff. At least one-third of the total audits performed within a fiscal year must be voluntary audits. If auditors discover on a voluntary audit a violation that presents a safety issue for the traveling public, MHTC may shut down the operation of the motor carrier but may not impose a fine for the violation.

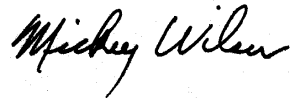
This act also prohibits cities and counties from enacting or enforcing commercial motor vehicle ordinances and laws.

DESCRIPTION (continued)

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Transportation
Department of Public Safety – Missouri State Highway Patrol
Department of Revenue
City of Kansas City
City of Maryland Heights
Greene County
Webster County



Mickey Wilson, CPA
Director
March 29, 2004